38. The kit according to claim 35 wherein said gene of interest is selected from the group consisting of a tumor antigen, a cytokine, a colony stimulating factor, a clotting factor, and a hormone.

35. A kit for transducing dividing or non-dividing cells ex vivo comprising:

a high titered recombinant retroviral particle composition wherein said recombinant retroviral particles carry a vector construct encoding a gene of interest.

36. The kit according to claim 35 wherein said non-dividing cell is a dendritic cell.

37. The kit according to claim 35 wherein said retrovirus particles have an envelope protein selected from the group consisting of a retroviral amphotropic envelope protein, a retroviral polytropic envelope protein, a retroviral ecotropic envelope, a retroviral xenotropic envelope protein, a gibbon ape leukemia virus envelope protein and a VSV-g protein.

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38. The kit according to claim 35 wherein said gene of interest is selected from the group consisting of a tumor antigen, a cytokine, a colony stimulating factor, a clotting factor, and a hormone.

39. A high titered recombinant retroviral particle composition useful for transducing, dividing or non-dividing cells ex vivo wherein said recombinant retroviral particle carries a vector construct encoding a gene of interest.

40. The high titered recombinant retroviral particle composition according to claim 39 wherein said non-dividing cell is a dendritic cell.

41. The high titered recombinant retroviral particle composition according to claim 39 wherein said retrovirus particles have an envelope protein selected from the group consisting of a retroviral amphotropic envelope protein, a retroviral polytropic envelope protein, a retroviral ecotropic envelope, a retroviral xenotropic envelope protein, a gibbon ape leukemia virus envelope protein and a VSV-g protein.

42. The high titered recombinant retroviral particle composition according to claim 39 wherein said gene of interest is selected from the group consisting of a tumor antigen, a cytokine, a colony stimulating factor, a clotting factor, and a hormone.

43. A method for transducing dividing or non-dividing cells ex vivo comprising:

(a) isolating an ex vivo population of dividing or non-dividing cells;

(b) exposing said isolated dividing or non-diving cells ex vivo to a high titered recombinant retroviral particle composition, wherein said recombinant retroviral particle carries a vector construct encoding a gene of interest.

44. The method according to claim 43 wherein said non-dividing cell is a dendritic cell.

A' Cancel

45. The method according to claim 43 wherein said retrovirus particles have an envelope protein selected from the group consisting of a retroviral amphotropic envelope protein, a retroviral polytropic envelope protein, a retroviral ecotropic envelope, a retroviral xenotropic envelope protein, a gibbon ape leukemia virus envelope protein and a VSV-g protein.

46. The method according to claim 43 wherein said gene of interest is selected from the group consisting of a tumor antigen, a cytokine, a colony stimulating factor, a clotting factor, and a hormone.

Remarks

Previously, claims 1, 6-7, 12-13, 30-34 had been pending in the now abandoned parent application, serial number 09/191,448. These claims have been cancelled in this preliminary amendment and new claims 35 through 46 have been added that the Applicant believes traverse the rejections of record for the following reasons.

The Examiner had previously rejected all pending claims based on 35 U.S.C §112 first paragraph stating that the application did not enable the scope of the cancelled claims. The Examiner asserted that the cancelled claims were directed to gene therapy and methods of treating disease because the stated purpose for the high titered recombinant retroviral particle compositions of the present invention found in the